

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Servants – Education Department – Allegation of Corruption against Sri Surepally Brugumaharshi, District Educational Officer, Nizamabad District – Trapped on 05.12.2009 – Sanction of Prosecution under the Prevention of Corruption Act, 1988 – Orders – Issued.

EDUCATION [SE-Vig.I(1)] DEPARTMENT

G.O.Ms.No. 59

Dated:12.05.2011

O R D E R:

Whereas, Sri Surepally Brugumaharshi, S/o Venkaiah, age:49 years, District Educational Officer, Nizamabad District from 7.9.2009 to 5.12.2009 and by virtue of the post held by him, he falls under the category of Public Servant as defined under Section 2(c) of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988).

2 And whereas, Sri Bandapalli Prabhakar Rao, S/o Ramaiah, age:59 years, Occ: Retired P.G Head Master, Z.P.H.S. Dubbak, R/o H.No.3-68, Mubaraknagar, Nizamabad. Sri B.Prabhakar Rao retired from Govt. service on attaining the age of superannuation on 31-7-2009 from Z.P.H.S Dubbak as P.G Head Master. After a month of his retirement, he submitted pension papers to Dy. D.E.O Kamareddy and requested to send the same to Accountant General, Andhra Pradesh, Hyderabad. In the month of may 2009 he submitted a petition to the District Educational Officer to settle the suspension period i.e., from 24.4.2008 to 11.11.2008 as on leave. But no action was taken by the D.E.O. Again, he submitted a petition on 5.10.2009 requesting the DEO to settle the suspension period as on leave. On 6.11.2009, he approached the Deputy Educational Officer, Kamareddy and requested to send the pension papers to A.G, A.P, Hyderabad for which the Dy. D.E.O informed him that as the suspension period was not settled, he could not send the same to A.G Office and also informed that the D.E.O Nizamabad Sri Brugumaharshi orally instructed him not to send his pension papers to A.G Office. On 31-12-2009 B.Prabhakar Rao approached the D.E.O Sri Brugumaharshi and requested him to settle the suspension period as on leave and also to instruct the Dy. D.E.O Kamareddy to send the pension papers to A.G Office, Hyderabad, for which the D.E.O Sri Brugumaharshi demanded Rs.10,000/- as bribe amount. When B. Prabhakar Rao expressed his inability to pay Rs.10,000/- as bribe amount, the D.E.O reduced his demand to Rs.5,000/- and instructed him to pay the bribe amount on 05.12.2009 at his office or a place where he disclosed. As B. Prabhakar Rao was not willing to his work done from the D.E.O on payment of bribe amount, he lodged a complaint with DSP, ACB Nizamabad Range on 03.12.2009 at 5 P.M with a request to take necessary action against Sri Surepally Brugumaharshi, District Educational Officer, Nizamabad District.

3. And whereas, the DSP, ACB Nizamabad Range after due verification of the complaint, registered the complaint of Sri B. Prabhakar Rao as a case in Cr.No.30/ACB-NZB/2009 on 05-12-2009 at 7 a.m., u/s 7, of the Prevention of Corruption Act, 1988 and took up investigation.

4. And whereas, Brugu Maharshi, DEO demanded and accepted the bribe amount of Rs.5000/- from Sri Bandapally Prabhakar Rao on 05-12-2009 at 9.25 AM at his residence bearing House No.6-88/45/6, Sainagar , 5th Phase, Telecom Colony, Aryanagar , Nizamabad as an illegal gratification other than legal remuneration and was trapped by the DSP, Anti-Corruption Bureau, Nizamabad Range. The phenolphthalein test conducted on the right hand fingers of S. Brugumaharshi yielded positive result and left hand fingers remains unchanged and the dust of phenolphthalein powder collected on the news paper "Andhra Jyothi District Edition, Nizamabad dated 5-12-2009 which came into contact with the tainted currency notes with the help of cotton swab when dipped in sodium carbonate solution turned into pink colour. The tainted amount of Rs .5000/- was seized from the floor on the Telugu news paper which by the side of the wooden stool and at the instance of Sri Brugumaharshi in the presence of mediators.

5. And whereas, the said act of Sri Surepally Brugumaharshi, S/o Venkaiah , age:49 years , District Educational Officer, Nizamabad District constitutes an offence punishable under section 7 & 13(1),(d) r/w 13(2) of the Prevention of Corruption Act ,1988.

(p.t.o.)

6. And whereas, the Government of Andhra Pradesh, being the competent authority to remove, Sri Surepally Brugumaharshi, S/o Venkaiah, age:49 years, District Educational Officer , Niznabad Districit from Government service having fully and carefully examining the material placed before them i.e., copy of FIR, Mediators Report-I& II and Final Report of the D.G, ACB , AP, Hyderabad in respect of the said allegation aforesaid acts and having regard to the fact and circumstances of the case, consider that the said Sri S. Brugumaharshi, shall be prosecuted in a court of law.

7. Now, therefore in exercise of the powers conferred under clause (b) of sub-section (1) of section 19 of the Prevention of Corruption Act, 1988 (Act 49 of 1988), the Government of Andhra Pradesh, Hyderabad hereby accord sanction for the prosecution of the above said Sri Surepally Brugumaharshi, S/o Venkaiah, District Educational Officer, Nizamabad District for the above said offences punishable under section 7 and clause (d) of sub-section (1) of Section 13 read with sub-section (2) of section 13 of the Prevention of Corruption Act, 1988 (Act 49 of 1988) and for any other cognate offences punishable under any other provisions of law for the time being in force in respect of the above said acts and also for taking cognizance of the said offences by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

(Dr. D. SAMBASIVA RAO)
PRINCIPAL SECRETARY TO GOVERNMENT (SE)

To
The Director General, Anti-Corruption Bureau, A.P., Hyderabad.
Law (A) Department.